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d/b/a Glidewell Laboratories  
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10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 SOUTHERN DIVISION

13 JAMES R. GLIDEWELL DENTAL  
CERAMICS, INC. dba GLIDEWELL  
14 LABORATORIES, a California  
corporation,

15 Plaintiff,

16 vs.

17 KEATING DENTAL ARTS, INC., a  
18 California corporation,

19 Defendant.

20  
21 AND RELATED  
22 COUNTERCLAIMS.  
23

Case No. SACV11-01309-DOC (ANx)  
Hon. David O. Carter, Ctrm. 9D

**DECLARATION OF RONALD  
GOLDSTEIN IN SUPPORT OF  
PLAINTIFF JAMES R. GLIDEWELL  
DENTAL CERAMICS, INC.'S EX  
PARTE APPLICATION FOR  
TESTIMONY IN OPEN COURT BY  
CONTEMPORANEOUS  
TRANSMISSION**

Pre-Trial Conf.: February 26, 2013  
Jury Trial: February 26, 2013

1 I, Dr. Ronald Goldstein, declare as follows:

2 1. I am a practicing dentist in Atlanta, Georgia. I have been a practicing  
3 dentist for almost 55 years, having received my DDS from the Emory University  
4 School of Dentistry in 1957. I have been retained as an expert witness on behalf of  
5 plaintiff James R. Glidewell Dental Ceramics, Inc. d/b/a Glidewell Laboratories  
6 (“Glidewell”) in the above captioned case. Unless otherwise stated, I have personal  
7 knowledge of the statements contained in this declaration. If called as a witness, I  
8 could and would competently testify as to the matters stated herein.

9 2. I was retained as an expert witness by Glidewell for this case on  
10 October 29, 2012. At the time of my retention, Glidewell’s counsel informed me of  
11 the trial date in this action, scheduled for February 26, 2013. I informed  
12 Glidewell’s counsel that I had a pre-arranged trip that cannot be cancelled for  
13 February 22-March 4, 2013, during which time I would be unavailable. It was my  
14 intent and understanding with Glidewell’s counsel that, if the case proceeded to  
15 trial, I would testify after returning from this trip.

16 3. My circumstances, however, have changed in the past couple of  
17 months. I have a medical condition that has worsened to the point where I cannot  
18 fly to California right now. I am 79 years old and I have degenerative arthritis in  
19 my back and knees. I have been treated for this condition for years and had Supartz  
20 injections a year or so ago to try and manage the pain. Now, however, my back  
21 condition has worsened to the point where I frequently wear a brace and the doctor  
22 is considering another round of Supartz injections for my knees. At this point,  
23 sitting for long stretches of time, such as on a long airplane ride, is not just  
24 uncomfortable, but extremely painful. As a result, over the past couple of months I  
25 have cancelled or postponed several trips involving long airplane flights. For  
26 example, in December I cancelled a vacation to the Cayman Islands because the  
27 flight was too long, and I recently turned down a speaking engagement in  
28

Snell & Wilmer

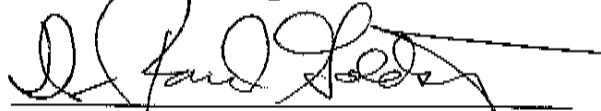
LAW OFFICES  
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1 California due primarily to the length of the flight. My upcoming trip on February  
2 22 involves just a short (less than two hours) flight from Atlanta to Miami.

3 4. Attached as Exhibit A is a true and correct copy of a letter from my  
4 doctor, Dr. Steven B. Wertheim, describing my medical condition and advising that  
5 I not travel on flights over two hours for the next couple of months, as we continue  
6 to evaluate and treat my arthritis.

7 5. While I am not available to travel to California to provide testimony, I  
8 could provide testimony by video transmission. I am available to testify by video  
9 transmission on the afternoon of March 5, in the event that the Court permits me to  
10 do so.

11 I declare under the penalty of perjury under the laws of the United States of  
12 America that the foregoing is true and correct, and that this declaration was  
13 executed on February 21, 2013, at Atlanta, Georgia.

14   
15 \_\_\_\_\_  
16 Dr. Ronald Goldstein

**EXHIBIT A**



**RESURGENS<sup>PC</sup>**  
**ORTHOPAEDICS**

February 16, 2013

RE: DR. RONALD GOLDSTEIN

To Whom It May Concern,

Dr. Ronald Goldstein is a patient of mine and my practice and has been treated for degenerative arthritis of his knees and back. Degenerative arthritis is a disease of the joint which causes the cartilage between the joints to deteriorate. In terms of treatment for knee arthritis, as the cartilage between the bones deteriorates, the condition can be treated with Supartz injections (a gel-like substance that helps lubricate the joint). For degenerative arthritis of the knee, Supartz injections are typically the last resort before considering a total knee replacement.

Dr. Goldstein has had degenerative arthritis for a number of years and was given one round of Supartz injections in September 2011. He reports his condition and pain has worsened substantially over the past couple of months. He is being evaluated for a second round of Supartz injections and if that does not work, then consider knee replacement surgery. With a lack of cartilage between the bones, the joints often get stiff after long periods of inactivity, (sitting in a theatre, walking or long airplane rides) exacerbating the condition and causing increased pain. Dr. Goldstein reports severe and debilitating pain in his back and knees after sitting for extended periods of time and even walking short distances. As a result, as his treating physician, I have recommended Dr. Goldstein avoid activities that require sitting for long periods of time and extended walking, for example, airplane trips longer than two hours for the next couple of months.

Please let me know if you have any questions.

Sincerely,

Steven B. Wertheim, M.D.

SBW/ajd

***Glidewell Laboratories v. Keating Dental Arts, Inc.***  
**United States District Court, Central, Case No. SACV11-01309-DOC (ANx)**

**CERTIFICATE OF SERVICE**

I hereby certify that on February 21, 2013, I electronically filed the document described as **DECLARATION OF RONALD GOLDSTEIN IN SUPPORT OF PLAINTIFF JAMES R. GLIDEWELL DENTAL CERAMICS, INC.'S EX PARTE APPLICATION FOR TESTIMONY IN OPEN COURT BY CONTEMPORANEOUS TRANSMISSION** the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

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Dated: February 21, 2013

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